

108TH CONGRESS  
1ST SESSION

# H. R. 1112

To amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2003

Mr. KINGSTON (for himself, Mr. FOLEY, Mr. HOYER, Mr. DEUTSCH, Mr. ROGERS of Michigan, Mr. JENKINS, Mr. CASTLE, Mr. FROST, Mr. NADLER, Ms. ROS-LEHTINEN, Mr. GIBBONS, Mr. GORDON, Mr. HOEFFEL, Mr. BURNS, Mr. GINGREY, Mr. MATHESON, and Mr. SCHROCK) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bankruptcy Judgeship  
5 Act of 2003”.

### 6 **SEC. 2. PERMANENT JUDGESHIPS.**

7 Section 152(a)(2) of title 28, United States Code, is  
8 amended—

1           (1) in the item relating to the eastern and west-  
2           ern districts of Arkansas by striking “3” and insert-  
3           ing “4”,

4           (2) in the item relating to the district of Dela-  
5           ware by striking “1” and inserting “6”,

6           (3) in the item relating to the middle district of  
7           Florida by striking “8” and inserting “10”,

8           (4) in the item relating to the southern district  
9           of Florida by striking “5” and inserting “7”,

10          (5) in the item relating to the northern district  
11          of Georgia by striking “8” and inserting “9”,

12          (6) in the item relating to the southern district  
13          of Georgia by striking “2” and inserting “3”,

14          (7) in the item relating to the district of Mary-  
15          land by striking “4” and inserting “7”,

16          (8) in the item relating to the eastern district  
17          of Michigan by striking “4” and inserting “6”,

18          (9) in the item relating to the district of Ne-  
19          vada by striking “3” and inserting “5”,

20          (10) in the item relating to the district of New  
21          Jersey by striking “8” and inserting “9”,

22          (11) in the item relating to the southern district  
23          of New York by striking “9” and inserting “11”,

24          (12) in the item relating to the eastern district  
25          of North Carolina by striking “2” and inserting “3”,

- 1           (13) in the item relating to the eastern district  
2           of Pennsylvania by striking “5” and inserting “6”,  
3           (14) in the item relating to the district of Puer-  
4           to Rico by striking “2” and inserting “3”,  
5           (15) in the item relating to the district of South  
6           Carolina by striking “2” and inserting “3”,  
7           (16) in the item relating to the western district  
8           of Tennessee by striking “4” and inserting “6”,  
9           (17) in the item relating to the district of Utah  
10          by striking “3” and inserting “4”, and  
11          (18) in the item relating to the eastern district  
12          of Virginia by striking “5” and inserting “6”.

13 **SEC. 3. TEMPORARY JUDGESHIPS.**

14       (a) TEMPORARY JUDGESHIPS.—

15           (1) APPOINTMENTS.—The following bankruptcy  
16       judges shall be appointed in the manner prescribed  
17       in section 152(a)(1) of title 28, United States Code,  
18       for the appointment of bankruptcy judges provided  
19       for in section 152(a)(2) of such title:

20           (A) One additional bankruptcy judge for  
21       the southern district of Georgia.

22           (B) One additional bankruptcy judge for  
23       the district of Maryland.

24           (C) One additional bankruptcy judge for  
25       the eastern district of Mississippi.

1 (D) One additional bankruptcy judge for  
2 the northern district of Mississippi.

3 (E) One additional bankruptcy judge for  
4 the middle district of New York.

5 (F) One additional bankruptcy judge for  
6 the middle district of Pennsylvania.

7 (G) One additional bankruptcy judge for  
8 the district of Puerto Rico.

9 (2) VACANCIES.—The first vacancy occurring in  
10 the office of bankruptcy judge in each of the judicial  
11 districts set forth in paragraph (1)—

12 (i) occurring 5 years or more after the  
13 appointment date of the bankruptcy judge  
14 appointed under paragraph (1) to such of-  
15 fice; and

16 (ii) resulting from the death, retire-  
17 ment, resignation, or removal of a bank-  
18 ruptcy judge;

19 shall not be filled.

20 (b) EXTENSIONS.—

21 (1) IN GENERAL.—The temporary office of  
22 bankruptcy judges authorized for the northern dis-  
23 trict of Alabama and the eastern district of Ten-  
24 nessee under paragraphs (1) and (9) of section 3(a)  
25 of the Bankruptcy Judgeship Act of 1992 (28

1 U.S.C. 152 note) are extended until the first va-  
2 cancy occurring in the office of a bankruptcy judge  
3 in the applicable district resulting from the death,  
4 retirement, resignation, or removal of a bankruptcy  
5 judge and occurring 5 years after the date of the en-  
6 actment of this Act.

7 (2) APPLICABILITY OF OTHER PROVISIONS.—  
8 All other provisions of section 3 of the Bankruptcy  
9 Judgeship Act of 1992 (28 U.S.C. 152 note) remain  
10 applicable to the temporary office of bankruptcy  
11 judges referred to in this subsection.

12 (c) TECHNICAL AMENDMENTS.—Section 152(a) of  
13 title 28, United States Code, is amended—

14 (1) in paragraph (1), by striking the first sen-  
15 tence and inserting the following: “Each bankruptcy  
16 judge to be appointed for a judicial district, as pro-  
17 vided in paragraph (2), shall be appointed by the  
18 court of appeals of the United States for the circuit  
19 in which such district is located.”; and

20 (2) in paragraph (2)—

21 (A) in the item relating to the middle dis-  
22 trict of Georgia, by striking “2” and inserting  
23 “3”; and

1                    (B) in the collective item relating to the  
2                    middle and southern districts of Georgia, by  
3                    striking “Middle and Southern . . . . . 1”.

4            (d) EFFECTIVE DATE.—The amendments made by  
5 this section shall take effect on the date of the enactment  
6 of this Act.

